
ARTICLE 3.

DISTRICT YARD, LOT AND SETBACK STANDARDS

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Division 3.100 Purpose and Applicability

SEC. 3.101 GENERALLY

This Article establishes general and specific standards for the scale and intensity of development and redevelopment that is allowed within the zoning districts established by these regulations.

SEC. 3.102 APPLICABILITY

No building or structure or part thereof shall be erected, altered or converted for any use permitted in the district in which it is located unless it is in conformity with all the standards of this Article. However, potential exceptions may arise through provisions elsewhere in these regulations or the City Code of Ordinances, including:

1. Standards that apply to particular uses as specified in Article 2, Uses and Supplemental Standards;
2. Standards adopted for a particular neighborhood area through the application of the Neighborhood Conservation District (NCD) overlay district provisions in Article 10;
3. Provisions for management of legal nonconforming uses and structures in Article 11, Nonconformities; and
4. Special exceptions to the yard requirements in this Article, which the Zoning Board of Adjustment is authorized to grant, under certain circumstances.

Division 3.200 Standards for All Buildings Sites and Lots

SEC. 3.201 CREATION OF BUILDING SITE

No permit for the construction of a building or buildings upon any tract of land shall be issued until a building site or lot has been created in one of the following ways:

1. Plat Approval and Recordation. The building site or lot is part of a plat of record, properly approved by the Planning Commission and filed in the plat records of Galveston County, Texas.
2. Site Plan Approval. The building site or lot is all or part of a Specific Use Permit or Planned Unit Development site plan approved by the Planning Commission. The building site or lot is all or part of a site plan approved by the Development Services Department.
 - a. The site plan shall provide all utility and drainage easements, alleys, streets and other public improvements necessary to meet the normal requirements for platting,

including the designation of building areas and such easements, alleys and streets that are required to be dedicated.

- b. All such required dedications shall be properly completed, and any necessary public improvements provided.
3. **Separate Ownership Prior to These Regulations or Annexation.** The building site or lot faces upon a dedicated street and was separately owned prior to the effective date of these regulations **March 4, 2015** or prior to annexation to the City.
4. **Combination of Platted Lots.** The building site or lot consists of a combination of platted lots, created by the adjustment of side lot lines only, whereby no increase occurs in the number of originally platted lots within a block, nor is there any reduction below a minimum lot area or minimum lot dimension required by these regulations.
 - a. Refacing of corner lots shall be permitted, provided the change causes no additional cost to the City for rendering of utility services.

SEC. 3.202 MULTIPLE PRINCIPAL BUILDINGS ON A BUILDING SITE OR LOT

Two or more principal buildings or structures may be placed upon a single building site or lot subject to the requirements of this Section.

- A. **Site Plan Approval.** The Development Services Department shall approve a site plan for the placement of two or more principal buildings or structures upon a single building site or lot to ensure compliance with the Subdivision Regulations. No plat recording shall be required unless a division of ownership occurs commensurate with development.
 1. **Covenant in Lieu of Site Plan Approval.** Two principal structures, other than a mobile home or homes, may be placed upon a single building site or lot without Planning Commission approval of a site plan, provided that:
 - a. The covenant cited in subsection B., below, is executed and recorded, and that
 - b. No other principal structure is placed or erected on the same site or lot to where there are more than two principal structures on the site or lot.
- B. **Covenant Required in Certain Situations.** Where two or more principal structures on a single building site or lot have either more than one street frontage, or a combination of street and alley frontage, the City and the property owner of record shall enter into and record a covenant stipulating that a division of property by fee simple may not occur without compliance with all State laws and City ordinances.
- C. **Minimum Separation.** Where two or more principal structures are placed or erected on a single building site or lot, the minimum distance between any two buildings shall be determined by applying the side and rear yard requirements of these regulations, as would apply if each building were assumed to be placed upon a separate site or lot.

Division 3.300 Lot and Yard Standards

SEC. 3.301 MINIMUM LOT AREA

Lot area is the square footage contained within the lot lines bounding the lot, which shall not include any portions of streets or alleys. Minimum lot area requirements are provided later in this Division for each type of residential dwelling unit, by zoning district. General exceptions include:

- A. **Lot Area Reduction.** The minimum lot area may be reduced to 2,500 square feet for any lot that:
 - 1. Abutted a public street in the 1F-3, 1F-4 or GR zoning districts that were in effect prior to the effective date of these regulations; and that
 - 2. Was a part of any subdivision properly recorded prior to January 1, 1971.

SEC. 3.302 MINIMUM LOT DIMENSIONS

Lot width is measured at the front building line. The front building line is parallel or approximately parallel to the front lot line, and marks the minimum horizontal distance from the front lot line that a building may be erected. Lot depth is measured as the mean horizontal distance between the front and rear lot lines. Minimum lot width and depth requirements are provided later in this Division for each type of residential dwelling unit, by zoning district. General exceptions include:

- A. **Undersized Lots of Record.** A lot having less width or less depth than required by this Article, and which was an official lot of record prior to the effective date of these regulations, may be used for one single-family detached dwelling, provided that neither the lot width or lot depth is reduced below the minimum standards set forth in this Article.

SEC. 3.303 FRONT YARD STANDARDS

The front yard is an open, unoccupied space on a lot between the front lot line and the front building face, and extending between the side lot lines. Minimum front yard requirements are provided by zoning district. This requirement establishes the minimum horizontal distance of the building face from the front lot line. A covered porch, covered terrace or an accessory building attached to and situated partially or entirely in front of the principal building shall be situated at or behind the building face and shall not project into the required front yard. General exceptions to the minimum front yard requirement include:

- A. **Building Line Previously Established.** Where a building line was previously established by a plat or ordinance, and such line requires a greater or lesser front yard setback than is prescribed by these regulations for the district in which the building line is located, the required front yard shall comply with the building line so established by such ordinance or plat.
- B. **Permitted Projections into Required Front Yard.**
 - 1. Eaves and Roof Extensions: up to 4 feet
 - 2. Maximum Exposure of Subsurface Structures Above Surface: up to 40 inches above the average grade of the street curb parallel to the front lot line, or up to 44 inches above the average grade of the front lot line where the abutting street has no curb

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3. Where No Front Yard is required: all stairs, eaves, roofs and similar building extensions shall be located behind the front street right-of-way line or the front lot line.
- C. **Exemption for Stairways and Porches in Certain Situations.** In zoning districts that have minimum front yard requirements, stairways and porches associated with a residential use may project into the required front yard, but may not encroach beyond any lot lines.
1. The building was constructed prior to the adoption of the Flood Insurance Rate Maps (FIRMs) for floodplain regulations (December 31, 1974); and,
 2. The building is being elevated to meet current City of Galveston floodplain standards, with an additional allowance of three feet in elevation; and,
 3. The porch and stairway projection into the required front yard is limited to the minimum area required to meet elevation standards.
- D. **Flagpoles.** Flagpoles may be located within the minimum required front yard.
- E. Lots that exceed the zoning district's minimum lot area requirements and if the lot abuts a navigable body of water, accessory structures may be placed within the front yard if a similar development pattern exist on the same block.

SEC. 3.304 STANDARDS FOR SINGLE-FAMILY ATTACHED DWELLINGS

- A. **Live-Work Units.** In the districts where they are permitted, live-work units shall meet the lot and yard standards set out in the respective districts.
- B. **Special Yard Regulations.**
1. **No Required Side Yard Subject to Maximum Length of Series of Attached Dwellings.** A single-family attached dwelling separated from another such dwelling by a fire or party wall need not provide a side yard, except that no series of attached single-family dwellings shall exceed 300 feet in length.
 2. **Required Side Yard at End of Series of Attached Dwellings.** A minimum required side yard of five feet shall be provided at each end of a series of single-family attached dwellings. This will also provide at least 10 feet of separation between the ends of two adjacent such series of attached dwellings, enabling access for fire and emergency vehicles.
 3. **No Rear Yard Required in Certain Situations.** No rear yard shall be required where the rear wall of a dwelling is attached to another dwelling, provided that at least one side of all such single-family attached dwellings is exposed to a public street or officially approved place or court. Additionally, where interior courts are used for access to light and air, such courts shall provide the minimum required open space.

SEC. 3.305 STANDARDS FOR ACCESSORY BUILDINGS

Standards applicable to accessory buildings are set out in this Section.

- A. Accessory structures must meet the following setbacks:
1. 3 feet from the side property lines,
 2. 3 feet from the rear property line or 0 feet to an alley or right-of-way,
 3. 6 feet from the main structure.